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HELPS·FOR STUDENTS OF·HISTORY·

MUNICIPAL RECORDS

F. J. C. HEARNSHAW

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MUNICIPAL RECORDS

HELPS FOR STUDENTS OF HISTORY. No. 2.

EDITED BY C. JOHNSON, M.A., H. W. V. TEMPERLEY, M.A.,
AND J. P. WHITNEY, D.D., D.C.L.

MUNICIPAL RECORDS

BY

F. J. C. HEARNSHAW

M.A., LL.D., UNIVERSITY OF LONDON, KING'S COLLEGE

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MUNICIPAL RECORDS

I.—INTRODUCTORY

Until the latter half of the nineteenth century the history of English towns was generally neglected. There were, it is true, a few venerable works treating of the antiquities of the more important cities and boroughs;* but the places dealt with were mainly the seats of Bishops,† the ecclesiastical interest was regarded as superior to the historical, and the works themselves were not reasoned accounts of municipal development, but rather vast collections of archæological materials. In 1871, John Richard Green, travelling along the Genoese littoral, wrote to a friend in England: "Roaming through these little Ligurian towns makes me utter just the old groans you used to join in when we roamed about France—groans, I mean, over the state of our local histories in England. There isn't

* For example, Somner's "Canterbury" (1640); Stow's (1598) and Maitland's "London" (1739); Drake's "Eboracum" (1736); Brand's "Newcastle" (1789); Milner's "Winchester" (1798); and Oliver's "Exeter" (1821).

† But note also Owen and Blakeway's "Shrewsbury" (1825); Poulson's "Beverlac" (1829); Frost's "Hull" (1827); and Cooper's "Cambridge" (1842).

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one of these wee places that glimmer in the night like fireflies in the depth of their bays that hasn't a full and generally admirable account of itself and its doings. They are sometimes wooden enough in point of style and the like, but they use their archives, and don't omit, as all our local histories seem to make a point of doing, the history of the town itself."*

It was Green himself who played a pioneer part in removing this reproach from English historical literature. Born in the city of Oxford, he "was from his childhood sensitive to the spirit of his native city."† His first historical essays, published in the *Oxford Chronicle* of 1859, related to the city of his birth, and at the time of his death he was busy adding to his large collection of materials for a detailed history of the place. "When failing health had put an end to all hope of his own work on Oxford being continued, he took pleasure in the thought that it might still be carried on by the society which he had first planned, and which he lived to see inaugurated—the Oxford Historical Society.‡

The enthusiasm for local history which illumined John Richard Green was to some extent shared by his friend and colleague E. A. Freeman, but in him

* J. R. Green, "Letters," p. 295.

† J. R. Green, "Oxford Studies," p. 10.

‡ Mrs. J. R. Green in Introduction to "Oxford Studies."

the flame of zeal burned with a light less pure.* For one thing, he was pre-eminently a national historian, and he was interested in towns, not for their own sake, but only in so far as they could contribute illustrations of general political development. For another thing, he never could be bothered to decipher manuscripts or read records. Hence the series of monographs on "Historic Towns" which he, in conjunction with Dr. Hunt, began to edit in 1887 was not a conspicuous success. It avoided such defects of the older municipal histories as were due to ignorance of national affairs, but it drew little fresh information from the great untouched treasuries of local sources, and it threw little fresh light on the growth of municipal institutions. There was obvious need that a great deal of dull preliminary work should be done in searching, classifying, editing, and printing local archives, before a satisfactory series of municipal histories could be written.

What has been said of the histories of particular towns applies also to the histories of municipal institutions in general. The constitutional aspect of town life had not been by any means ignored; but the key to its secrets had not been discovered. The works that dealt with it were either merely antiquarian or primarily partisan. Among the antiquarian treatises, Thomas Madox's "Firma

* For Freeman's debt to Green, see "Life and Letters," i., p. 303.

Burgi" (1726) ranks easily first. It presents a valuable collection of extracts from pipe rolls and other public records relating to the cities and boroughs of England. It does not profess, however, to draw upon local as well as national sources, and even in respect of the national sources it is fairly complete only for the thirteenth and fourteenth centuries. Among the partisan treatises two are specially eminent. One is Robert Brady's "Historical Treatise of Cities and Boroughs" (1690), written in defence of civic and burghal charters at a time when conflict between Whig and Tory, Conformist and Nonconformist, central and local government, caused party passion to wax particularly hot. The other is Merewether and Stephen's "History of the Boroughs and Municipal Corporations of the United Kingdom" (1835). This is a massive work in three volumes composed as a contribution to the controversy concerning the reform of town administration which culminated in the Municipal Corporations Act of 1835. It is of incomparably more value than Brady's treatise, but it is vitiated by a persistent determination on the part of the authors to see in every kind of mediæval court or council evidence of the existence of an original popular assembly or folkmoot.

The controversy of 1835, however, produced another work of a very different kind, which may be regarded as the basis of all subsequent scientific

study of the constitutional history of cities and boroughs. I refer to the four-volumed "Report of the Commissioners appointed to inquire into the Municipal Corporations in England and Wales,"* supplemented by five additional volumes of evidence published during the years 1835 to 1838.† It is the immense masses of important information gathered with complete impartiality within the covers of these invaluable Blue books that has made possible such general examinations of municipal institutions as are provided in Mrs. J. R. Green's "Town Life in the Fifteenth Century" (1894), or in Mr. and Mrs. Webb's "English Local Government" (1906 *et seq.*).

But, as has already been noted, many years were destined to elapse before the study of municipal history began to attract the attention and absorb the energies of competent scholars, and many more before even they were able to set to work on sound lines. For if Green and Freeman were pioneers in the unexplored realm of local institutions, they themselves were too much occupied with other researches to give that concentrated attention necessary to the making of discoveries in this region. Green's "Oxford Studies" is a mere collection of

* Parliamentary Papers 1835, vols. xxiii.-xxvi.; Index in ditto 1839, vol. xviii.

† Parliamentary Papers 1835, vols. xxvii., xxviii.; 1836, vol. xxiv.; 1837, vol. xxv.; and 1838, vol. xxxv.

brilliant magazine articles; Freeman's "Exeter" is a local commentary on the history of England. It was reserved for Professor F. W. Maitland, in his masterly study of Boroughs (in Pollock and Maitland's "History of English Law," 1895) and in his monograph on "Township and Borough" (1898), to bring the light of penetrating intellect and laborious research to bear upon the mediæval municipal administration of this country. The illuminating generalizations of Maitland, based as they were upon the soundest scholarship and the most diligent investigation, inspired other students, such as Mr. W. H. Hudson in Norwich and Miss Mary Bateson in Leicester,* to explore and expound the local archives. There were also other independent scholars in the field, such as Mr. W. H. Stevenson, who published valuable collections of Nottingham documents in 1890, and of Gloucester documents in 1893. About this same time Record Societies were founded in many counties and towns for the systematic study and publication of local archives. Finally, in 1897, Dr. Charles Gross, of Harvard University, a bibliographer of unrivalled skill, issued his comprehensive and excellently classified "Bibliography of British Municipal History." Thus, at the end of the nineteenth

* Miss Bateson was engaged by the Corporation of Leicester to edit their Municipal Records; she had no prior connection with the town.

century, not only was the history of English towns acknowledged to be worthy of study, but for the first time adequate materials for that study were beginning to be available.

It is now time for us to turn and see what are the main kinds of material from which trustworthy information concerning cities and boroughs can be drawn.

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II.—MUNICIPAL RECORDS IN NATIONAL ARCHIVES

In the first place, a few words must be said concerning the important sources for the study of municipal history which exist in the national collections. These sources must be dismissed briefly, because their main interest is other than local, and also because full information about them is readily accessible in such works as Charles Gross's "Sources and Literature of English History," or S. R. Scargill-Bird's "Guide to the Public Record Office."

1. First in order of time stand the "Anglo-Saxon Charters and Laws." J. M. Kemble's great collection of Charters, the "Codex Diplomaticus Ævi Saxonici,"* contains 1,369 documents; later gleanings are stored in B. Thorpe's "Diplomatarium" (1865), in W. de G. Birch's "Cartularium Saxonicum" (1885-1893), and in J. Earle's "Handbook to the Land Charters" (1888). The chief value of these documents to the student of municipal history

* Six volumes published by the English Historical Society, 1839-1848.

is that they yield evidence, particularly in the case of towns which sprang up on ecclesiastic estates, of the royal donations of lands and royal grants of privileges and immunities which determined the nature of municipal origins. The Anglo-Saxon Laws throw light on the condition which led to the foundations of "burhs," the growth of a commercial and industrial class, and the formation of confraternities and gilds. They can be consulted either in the Record Commission's two-volumed edition, entitled "Ancient Laws and Institutes of England," edited by B. Thorpe in 1840, or in the far superior, but as yet incomplete, edition of F. Liebermann, entitled "Die Gesetze der Angelsachsen" (1898 *et seq.*).

2. Next comes Domesday Book.* As a source of information concerning towns it is, one must admit, disappointing. It was compiled as a geld book, and the assessment for the geld was made on the manor. The old English boroughs could not well be fitted into the manorial system, nor could a place for an account of them easily be found in the Domesday scheme. London is not described at all, nor is Winchester, although it was to that city that the returns were sent. Where a town—*e.g.*, Southampton—is dealt with, the information given is obviously, and often demonstrably,

* With Domesday may be included other early Surveys, such as that of Winchester.

incomplete. Nevertheless, happy is the town which can claim a Domesday entry. Its local antiquaries are provided with conundrums for all time. The use that can be made of Domesday statistics is brilliantly illustrated by Professor Maitland's "Domesday Book and Beyond" (1897), where an important section treats of the boroughs existent in 1086. Moreover, Mr. J. H. Round, in the successive volumes of the "Victoria County History," has, with great learning and ability, collected and interpreted all the Domesday evidence respecting the places that came within his purview. A new edition of Domesday as a whole is urgently called for. Students have still to use the antiquated issue commenced by Abraham Farley in 1783 and completed by Henry Ellis in 1816. The original manuscript of the Great Survey can be seen among the priceless treasures in the Museum of the Public Record Office in Chancery Lane.*

3. The Charter Rolls supply direct information of first-rate importance about most of the cities and corporate boroughs of mediæval England. The series proper, consisting of enrolments of charters issued from Chancery, extends from 1189 to 1517 only, later Charters being entered on the Patent Rolls; but there are enrolments of "cartæ antiquæ,"

* Facsimiles of the County sections of Domesday have been made at the Ordnance Office, Southampton (1861 *et seq.*).

some dating back to the time of Ethelbert of Kent,* and the series is supplemented by duplications in the Confirmation Rolls which extend from 1483 to 1625, and by similar entries in the earlier Patent Rolls. The charters of the twelfth century are particularly important. The towns of that period were making strenuous efforts to escape from the meshes of the feudal system, which had become much more strangling and restrictive under the energetic administration of the Norman and Angevin Kings. Hence they were willing—and, owing to the development of commerce, able—to pay large sums to the royal exchequer in order to secure financial autonomy, trade privileges, judicial independence, and local self-government. Henry II. showed himself ready to grant charters in response to satisfactory offers of payment; but he was far surpassed by his son Richard I., who made the sale of municipal liberties one of the chief means by which he raised money for his Crusade—charters of date 1189 are extraordinarily numerous. Ten years later John followed suit, and he further made much money by pressing the doctrine, which henceforth was generally recognized by the lawyers, that a charter was valid only during the lifetime of the King who granted it, and that it thus needed confirmation at each recurrent royal accession.

* See "Inventory of Records in the Tower," published by the Deputy-Keeper in 1841.

The occasions of the necessary confirmations were frequently made the opportunities for the securing of additional franchises. To the original "firma burgi" were added merchant and craft gilds, municipal courts, and finally a Mayor and Corporation. A large selection of important town charters will be found in the "new edition" (1816-1869) of Rymer's "Fœdera." A careful comparative study, with numerous examples, is provided by Mr. A. Ballard's "British Borough Charters" (1913).*

4. Another and unduly neglected source of information respecting municipal institutions is the Hundred Rolls of Edward I.'s time. These Rolls supply the obverse of the information given in the Charter Rolls. They show, not what rights the King had granted, but what rights the subjects had usurped. They embody, as is well known, the results of the "Quo Warranto" inquests made at the command of Edward I. soon after his return from the Holy Land. There had been vast encroachments upon royal properties and prerogatives during the troublous times of Henry III. and during Edward's own long absence abroad. Hence Edward's efforts to stop further usurpations, and, if possible, to recover possessions and powers already wrongfully acquired. The Hundred Rolls,

* *Cf.* also "Cartæ, Privilegia, et Immunitates," published by the Irish Record Commission (1829-30).

from the fulness of their information, might almost be called a thirteenth-century Domesday Survey. It is difficult, however, to make use of the evidence which these Rolls provide, because it still has to be sought in an edition more than a century old—viz., "Rotuli Hundredorum," issued in two volumes by the Record Commissioners in 1812-1818.*

5. Soon after the date when the Hundred Rolls made their appearance, the Rolls of Parliament began to provide a systematic record of the doings of the central legislature. These "Rotuli Parliamentorum" commenced in the year 1278 and continued until 1503, after which the miscellaneous information that they contain began to be classified in the Journals of the Lords and the Commons on the one hand and the Statute Rolls on the other hand. Both the Rolls and the succeeding collections of Statutes of the Realm contain numerous legislative acts relating to the affairs of specific municipalities, as well as statutes regulating the affairs of cities and boroughs generally. The "Rotuli Parliamentorum" are to be found in a good six-volumed edition published towards the close of the eighteenth century in obedience to an

* With the "Rotuli Hundredorum" of Edward I. may also be mentioned the "Nomina Villarum" of Edward II. (Record Commission, 1834). This gives lists of towns and the names of their feudal lords in the year 1816. It is printed in "Parliamentary Writs" (Record Commission, 1827-34, and in "Feudal Aids," 1899 *sqq.*).

order of the House of Lords dated March 9, 1767.* The ancient Statutes of the Realm are best consulted in the Record Commissioners' edition issued in eleven volumes, 1810-1828.

6. Finally, there are the numerous Calendars of State Papers, etc., various series of which are in process of publication under the authority of the Master of the Rolls. Some 300 volumes have already appeared, and these compilations, well edited and fully indexed, contain masses of new information concerning many municipalities.† A full catalogue of the Calendars can be obtained from H.M. Stationery Office, London.

* An excellent index was provided in 1832.

† There are large collections of "Court Rolls" (see p. 28), "Ministers' Accounts," and "Rentals and Surveys" at the Public Record Office, some of which contain information as to boroughs.

III.—MUNICIPAL RECORDS IN LOCAL ARCHIVES

Although much information respecting cities and boroughs can be obtained from national sources, it is to the vast and still largely unexplored local repositories that students of municipal institutions naturally turn when they desire detailed knowledge. How extensive are the materials available can be seen by reference to the Reports of the Historical Manuscripts Commission, which has already examined and catalogued the archives of seventy-two municipalities. Probably no town can approach the City of London in either the quantity or the importance of its records; these fill seven huge subterranean vaults at the Guildhall, and they relate in many instances to affairs of national significance. But even in the case of comparatively small towns of high antiquity, when Fortune has been kind enough to exempt the towns from the ravages of war and fire and ignorant officials, the mountains of venerable documents can be estimated only by the cartload or the ton.*

* Mr. J. C. Jeaffreson, who catalogued the Southampton documents, says that he and two assistants were occupied for six

In all too many cases, however, the extant muniments are but a fraction of what should have survived but for some calamity or other, or but for the chronic negligence of the succession of town clerks. Newcastle-on-Tyne, for instance, which should be extraordinarily rich in mediæval records, has very little of earlier date than the disastrous siege of 1644. Dorchester, in Dorset, lost most of its archives in a devastating seventeenth-century conflagration. The ancient documents of Hereford were sold as waste paper, while those of Plymouth were carted away as rubbish.

Surviving municipal muniments fall into two main classes—viz., *Chronicles* and *Records*. The *Chronicles* claim first mention, although there are only some three dozen of them all told; for they are of prime historical interest. They profess to be records of the notable local events that happened in successive mayoralties, but they generally include important references to contemporary national happenings. They become full and valuable at the close of the Middle Ages, and thus serve to supply the deficiencies of the monastic chronicles, which at that time were dying out. They correspond to the annals of the German free cities which Dr. Karl Hegel, as the result of a life-

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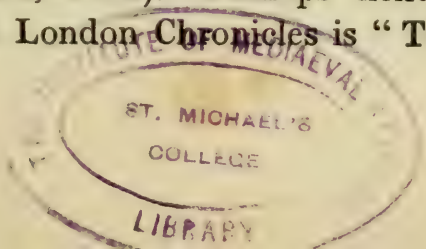
weeks merely in sorting and labelling the MSS. before they could begin the work which was more properly their own ("Hist. MSS. Com.," Report XI., Appendix III., p. 1).

time of devoted labour, collected in the monumental twenty-five volumes of his "Chroniken der deutschen Städte" (1862-1896). Of course, no English towns ever attained to quite such autonomy as was enjoyed by German cities like Hamburg, Lübeck, or Bremen, all of which were virtually independent States. Hence no English civic chronicles have quite the political significance of their Continental counterparts, but the London Chronicles, at any rate, do not fall far short of them. London more nearly than any other English community reached a height of opulence and power that made it possible for its Mayor and Corporation to treat with King and Parliament at Westminster on terms of almost complete political equality. But never quite; in the last resort the King and Parliament, with the nation behind them, could compel submission. Nevertheless, so great was the influence of London, and so nearly concerned was it with national affairs, that its chronicles are of first-rate importance. The oldest of these is Fitz-Thedmar's "Chronica Majorum," completed in 1274; next come some fourteenth-century "Croniques de London" (printed by the Camden Society in 1844); and thirdly a series of fifteenth-century chronicles which Mr. C. L. Kingsford has recently edited with great scholarship and skill ("Chronicles of London," Oxford, 1905). Perhaps next in importance to the London Chronicles is "The Maire



of Bristowe is Kalendar," compiled by Robert Ricart, who was town clerk of Bristol 1479 to *circa* 1506. This was printed by the Camden Society in 1872. The majority of the town chronicles, however—*e.g.*, those of Beverley, Chester, Newcastle, Plymouth, Southampton—are still in manuscript only. Many of them are no longer to be found in the places where they were compiled, but have to be sought in the Harleian, Lansdowne, and Egerton Collections of manuscripts in the British Museum. One of the most urgent tasks that awaits students of English municipal history is that of collecting, editing, and publishing the complete series of these extant town chronicles.*

Town *Records*, in the stricter sense of the term, are incomparably more numerous than town chronicles. It is they that fill the shelves and pile the floors of the municipal muniment-rooms. And not only are they so numerous as almost to defy examination: they are also so various as wholly to baffle classification. The most unexpected discoveries reward the curiosity of the patient explorer —missals, treatises on the philosopher's stone, poems, private letters, deeds, wills, genealogies, miscellaneous writings of all sorts. These, how-

* A short account of the town chronicles is given by Dr. C. Gross in his "Bibliography of British Municipal History," § 3. Dr. Gross says that these chronicles "form an unexplored field of historical literature of considerable interest."

ever, although found among municipal archives, are not properly municipal records. They are the flotsam and jetsam that have been attracted to the security of the burghal strong-room. The main varieties of records in the true meaning of the expression are (1) Charters; (2) Accounts of Stewards, Chamberlains, and other Officials; (3) Gild Rolls and Ordinances; (4) Court Rolls; (5) Assembly Books; (6) Books of Examinations and Depositions; (7) Books and Miscellaneous Memoranda. A word or two concerning each class must here suffice.

1. The Charters, of course, are the originals, transcripts of which are preserved in the Rolls of Chancery. In many cases there are also numerous confirmations and exemplifications drawn up and sealed at later dates. Further, since its charters were of vital importance to a town, as the very basis of all its municipal liberties, they were frequently copied by successive town clerks into ornate and well-bound volumes. Most towns, when they begin to publish their ancient documents, begin with the charters. Thus, we have had in recent years the Charters of Leicester (edited by Miss Bateson), Cambridge (Professor Maitland and Miss Bateson), Colchester (Mr. W. C. Benham), Gloucester (Mr. W. H. Stevenson), Nottingham (Mr. W. H. Stevenson), Bristol (Mr. F. B. Bickley), Norwich (Messrs. Hudson and Tingey), Northampton (Messrs. Markham and Cox), and Southampton

(Mr. H. W. Gidden). Mr. A. Ballard's collection of "British Borough Charters" has already been mentioned.

2. The Stewards', Chamberlains', and other Accounts, although among the most difficult of borough documents to interpret owing to the obscurity of many of the technical terms employed and to the awkwardness of doing sums by means of Roman numerals, are rich mines of information to students of economic history. They reveal precise details of local income and expenditure; they enable estimates to be made of general prices at various dates, and thus give standards of the value of money; they throw light, moreover, on many mediæval customs and modes of thought. For instance, the constant recurrence in fifteenth-century accounts of items of expenditure "ad retournandos amicos villæ in quadam jurata" confirms the impression conveyed by the "Paston Letters" that in the time of Lancaster and York no impartial verdict from a jury was ever looked for.

3. Gild Rolls and Ordinances: These are among the most interesting of early documents, because they portray a manner of life, a regulation of industry, and an organization of commerce, very different from anything existent to-day. The oldest of the gilds of which we have records were the merchant gilds. These communal associations rose in this country shortly after the Norman

Conquest, and before the end of the twelfth century every considerable English town possessed one. They were inclusive organizations to which any member of the burghal "'communitas," irrespective of occupation, could belong, and to which occasionally travelling merchants were admitted. The members enjoyed the monopoly of the local trade (except in victuals, which were free); they were exempted from the payment of tolls; they acquired a status which secured for them privileges and gave them protection when they travelled abroad; they received aid in sickness and adversity; after their death provision was made for the burial of their bodies, the welfare of their souls, and the maintenance of their widows and children. The ordinances of a large number of English gilds have been collected and analyzed, and compared with Continental models, by Dr. Charles Gross in his important work entitled " The Gild Merchant " (1890). An excellent summary of all available information concerning the merchant gilds is given by Mr. E. Lipson in chapter vii. of his "Economic History " (1915).

The craft gilds were very different. They came into existence about a century later than the merchant gilds; they were limited to the members of a single industry (or even part-industry); sometimes (as at Beverley) they were mere delegations of the merchant gild, sometimes (as in London)

they were established by the municipality, sometimes (as in Winchester) they rose in definite antagonism to the older authorities. Since they were not, like the merchant gilds, organs of the whole community, their records are rarely to be found among the municipal archives, although, as a rule, numerous references to them and regulations for them appear among the town documents. They kept their own records, and sometimes these are of high interest and importance. Many of them have been published, particularly in the case of those gilds that developed into powerful Companies and survived to modern times.*

4. Court Rolls: Every city and borough had a civil court of some kind in which local disputes could be heard, small debts collected, questions of property settled. Usually this court sat every month or every three weeks, under the presidency of the Mayor. Chartered towns almost invariably secured in addition the right to hold a criminal court with jurisdiction and powers equal to those of the great hundred court (sheriff's tourn), or

* Firth's "Documents of the Coopers' Company"; Kingdom's "Archives of the Company of Grocers"; and "Charters, Ordinances, and By-laws of the Mercers' Company." All these are of London. Bristol has published accounts of its Weavers and Merchant Taylors (ed. F. F. Fox); Newcastle of its Merchant Adventurers and Hoastmen, etc., etc. On the whole question see Toulmin Smith, "English Gilds" (1870); G. Unwin, "Gilds of London" (1908); and E. Lipson, "Economic History," chapter viii.

even the shire court itself. Towns with fairs had an annual pie powder court. Those that were ports had an Admiralty Court. Of all these courts careful records were kept, and in old towns whose documents have been preserved these records extend in formidable series from the Middle Ages (usually thirteenth or fourteenth century) to the time that the court ceased to exist, or even to the present day in the rare cases where the mediæval court has survived all the encroachments of rival jurisdictions. These Court Rolls yield priceless information concerning former inhabitants of the town, local customs, and economic conditions, as well as concerning the constitutional machinery of early days. Many have been edited and printed during recent years.*

5. Assembly Books contain minutes of the proceedings of the governing body of the town, and in some cases these are supplemented by (6) extraordinarily interesting Books of Examinations and Depositions, which contain preliminary inquiries and investigations of all kinds. Both these classes of documents are inexhaustible sources of information to those who wish to investigate closely the course of the municipal development.†

* See Gross's "Bibliographies," *passim*.

† As examples see "The Coventry Leet Books," edited by Miss Dormer Harris, in four volumes (1907-13) and the Southampton "Books of Examinations and Depositions," edited by Misses Hamilton and Aubrey (1914).

7. Finally must be mentioned Books of Miscellaneous Memoranda, of which most old towns possess examples. They were books in which were entered all sorts of secret and important information, such as grants of privileges and exemptions from taxation. Often, too, they contain enrolment of the wills of prominent burgesses. Usually they were kept under the security of two or three locks whose keys were held by different responsible officers. Sometimes they had names of their own—*e.g.*, Black Book, Red Book, Oak Book, Chain Book.

Such are the most important classes of documents that may be looked for in municipal muniment-rooms. It must not be forgotten, however, that many things of the highest interest to the community were not dealt with by the municipal authorities at all, and that therefore their records have to be sought elsewhere. The case of the craft gilds has already been mentioned. Much more important than these, however, were the various ecclesiastical organizations. Every parish had its registers; every religious house had its own chronicle and account rolls; every diocese had the episcopal repositories in which were entered not only the record of inductions to livings, but also all matters relating to testamentary succession. Thus, the student who wishes to make a complete survey of the history of a municipality has to search the records not only of the town itself, but also those of the nation, the gild, and the church.

IV.—THE STUDY OF MUNICIPAL RECORDS

THE study of municipal records is still in its early stages. The days of gross neglect, it is true, are over; no longer are venerable documents carted away as rubbish, sold as waste-paper, used to light fires, or given to seekers after curiosities. Everywhere the ancient charters, court rolls, and memorandum books are being dusted, arranged, catalogued, cared for. But though care has taken the place of neglect, the disastrous results of centuries of ill-usage can never be remedied. Few towns can boast a continuous and unbroken series of any sort of document whatsoever, and the missing links in the series are irreplaceable. The zeal of private collectors and the vigilance of the British Museum and the Public Record Office have saved many strayed treasures from oblivion, but the fact that one has to go to London to consult such provincial sources as the Black Book of Winchester and the Ipswich Domesday is eloquent concerning the negligence of their former custodians. At the present time municipal records are usually kept

in the custody of the town clerk of the borough to which they belong. As a general rule it is easy for students to gain admission to them, and courteous assistance in the discovery of the document or documents required. In some places, however, difficulties have to be faced and obstacles surmounted; in Newcastle, for example, owing to the fact that a century ago the old historian Brand made some damaging discoveries and revelations which seriously prejudiced the position of the then Corporation, the muniments are very jealously guarded from inspection. But even where access is easy and ready assistance available, it is rare indeed to find anyone who has that expert and specialized knowledge that is necessary for the decipherment and interpretation of ancient manuscripts. In Continental towns it is common to find the municipal records in charge of a professional archæologist and historiographer; in England the City of London has its Record Clerk and the Cities of Norwich and Hull honorary archæologists; but, so far as I know, these three excellent examples stand alone. It is therefore specially necessary that students in this country who wish to pursue researches in local muniment-rooms should equip themselves with the paleographical and linguistic knowledge required for their effective handling. The languages that have to be known are Mediæval Latin and Old French. Paleographical skill

speedily comes with practice; its rudiments, however, have to be learnt from textbooks with selected specimens, and for the purpose of this instruction Wright's "Court Hand Restored," and Martin's "Record Interpreter," or Jenkinson and Johnson's "English Court Hand," may be commended.

Of the growing masses of municipal documents which are available in print some specimens, particularly the older ones, are exceedingly defective. It was the vicious practice of the editors of earlier days to print selected extracts only, without giving any indication of either the quantity or the quality of the portions omitted. Thus, however pithy the extracts may be, and however valuable the information they may impart, they are useless to the student who wishes to obtain a complete picture of the municipal development.*

Other editors who avoid the eclectic snare succumb to a second and only slightly less deadly temptation—viz., the temptation to give translations of mediæval documents only, without the original texts. Thus, Mr. W. C. Benham, who has within quite recent years (1902-1907) issued well-edited versions of the Red Book, the Charters, and the Oath Book of Colchester, has spoiled his

* Books which suffer from this defect are, *e.g.*, Harland's "Manchester," Picton's "Liverpool," Ross's "Lincoln," Swayne's "Salisbury," and Davies's "York."

work for scholars by giving his own English rendering only.

Almost perfect models of what the editing of municipal documents should be are presented by Mr. W. H. Stevenson's "Gloucester and Nottingham," Professor Maitland's "Cambridge," Miss Bateson's "Leicester" (which, however, is defective in arrangement), Messrs. Hudson and Tingey's "Norwich," Mr. Leach's "Beverley," Mr. Bickley's "Red Book of Bristol," and Dr. Sharpe's "London Letter Books." All of these give both text and translation with an adequate apparatus of introduction, notes, glossary, and index.

It is to be hoped and expected that many more of such model editions will be issued in the future; for all over the country municipal authorities are waking to a consciousness of the interest and value of the muniments in their care. London, Nottingham (although mainly because of a local squabble in 1877), Gloucester, Norwich, Northampton, Southampton, Leicester, Manchester—all have voted sums of money more or less generous towards the cost of editing and publishing their local records. All over the country, too, as has already been mentioned, local Record Societies have sprung into existence. At the time of the outbreak of the war some twenty were in active operation. Some of them, such as the Surtees and the Chetham Societies, cover groups of counties, and so only

occasionally deal with the records of the municipalities within their sphere of influence; the majority are county organizations—*e.g.*, Devon, Hampshire, Somerset, Surrey, Wiltshire, Somerset. One only —viz., that of Southampton—is restricted to the documents of a single borough.

Vast, then, is the work yet to be done. If one were to pick out the places where the formation of local Record Societies is most urgently needed, one would mention Bristol, Canterbury, Chester, Newcastle-on-Tyne, Winchester, and York. All these, as it happens, are cathedral cities where there are clergy well qualified by scholarly attainments to take the lead in antiquarian enterprises. The work is not only useful: it is also most fascinatingly interesting. For although, no doubt, a good deal of dull drudgery has to be patiently borne, toil is lightened by frequent discoveries and by a growing intimacy with the inner life of a bygone age. Now and again a really choice bit of phraseology or a delightful anecdote comes as an ample reward for long spells of heavy toil. Perhaps I may be allowed to close this section with two extracts from the Southampton Assembly Books which illustrate both the antique modes of expression and also the revelations of a crude social system that render these old documents so interesting.

The municipal council had been compelled to

take note of the mental and moral defects of a certain Mrs. Toldervey, wife of an Alderman and ex-Mayor.

"October 27th, 1615. This day ordered, that whereas it hath pleased Almightie God to vysite Mrs Toldervey wife of Mr Phillip Toldervey, alderman, with a lunacy and great distemperature of minde, as too notoriously appereth; The like whereof he may (if so be it his pleasure) lay uppon any one of us; from the which we humblie beseech His Majestie to preserve us and all others, and for his mercies sake to restore her to her former sence and understanding: In the meane time, seeing that her speeches are manie times most idle, odious and scandalous against His Majestie and the state, and that also her walking abrode appereth to be verie daungerous, bothe in regarde of her owne percon and also of others her neighbours whoe stand in great feare of her: It is thought fitt and so ordered by the Assembly of this house this day, that the said Mr Toldervey be required to take course that she may not hencefourth walke abrode out of his house, but be close kept upp, until it shall please god, to geve her a feeling of his grace. All which we require to be done, as well to prevent all daunger of hurte unto her owne

percon as aforesaid as to others, whoe alredie stand in great feare of her, to avoide all disquiettness in the Church at the Assemblies, both on the Sabboth daies and other daies for Christian exercises, As also all occasion of scandall by reason he is one of our Company; which if he shall refuse or wilfully neglect to do, we shall be forced to take such further order, as we are and shalbe unwilling to proceede unto."

Two years later, however, no amendment had been shown, and once again the House was constrained to address a solemn warning to the husband of the afflicted lady:

"Mr Toldervey, whereas of late your wife hath many wayes misdemeaned herself both in the Church, Towne haule and open streetes against his Ma^tie^ and the Queene his wife, against me the Mayor of this Towne and others of us and our wieves, wee have thought as heretofore so nowe againe to give yo^u^ notice of it, And for that it is a great disgrace and disparagem^t^ to the governm^t^ and state of this Towne to suffer such disorders in any person whatsoev^r^, and much more in one of her Rancke, and the rather for that the meaner sort doe gen^er^ally geve out that if she were of

meaner place wee would not suffer it, w^{ch} to saie the truth is most certeyne, wee doe most earnestlie desier yo^{u} and in his Ma^{ts} name also require yo^{u} to take some course to keepe her in, for whereas heretofore yo^{u} complayned that yo^{u} had noe fittinge place to kepe her in and by yo^{r} mocon wee have geven Bordes and nayles and paid for all the worckmanshipp to fitt a roome to yo^{r} Content in yo^{r} owne howse wch hath not cost yo^{u} one penny and have cost some of us money, otherwise wee thought wee should have beene freed of this Scandall, w^{ch} nowe wee find to break out in as highe a measuer as at any tyme heretofore, wherefore if yo^{u} shall not take such order as is fitting (w^{ch} wee hartilie desier yo^{u} to doe) wee shall bee constrayned uppon her next disorder to comitt her to prison untill wee shall have suerties for her good behaviour. Auditt howse the 24th of Oct. 1617."

V.—THE USES OF LOCAL HISTORY

THERE are some, it may be, who will ask at the end of this survey of municipal records: What is the use of disturbing these relics of bygone ages? Why not let the dead past bury its dead? Is not the neglect with which our forefathers treated these musty parchments and crumbling papers some evidence that they were and are indeed negligible?

The answer, it seems to me, is that although municipal records, if privately interpreted, would be too trivial to merit attention, and although local history in general, if studied apart from general history, would be too narrow and petty to be worth serious labour, yet in their proper places as parts of a broad scheme of applied historical science both municipal records and the local history of what they form the basis demand honourable recognition.

As auxiliary to general history, the history embodied in local records appears to fulfil the following important functions:

1. It supplies the illustrations and furnishes the detail without which the abstractions of the historical textbook remain unrealized. Textbook accounts of national events are necessarily brief and bare. They lack atmosphere. They convey to the imagination impressions little more vivid than those conveyed by the multiplication table or the axioms of geometry. The feudal system, for example (assuming it to have existed), is little less difficult to grasp and to explain than the binomial theorem (assuming it to be true); but if a student can have before him the Domesday report upon some borough in his immediate neighbourhood, he will at least realize that William the Conqueror was a man and not a mere historic symbol or pedagogic "*x*."

2. It brings history into touch with actual life and with everyday experience. Outlines of general history are forced, by reason of the immensity of their theme, to confine themselves to big men and great subjects. They cannot help it. But the result is that they are "wound too high for mortal man beneath the sky." Historians, like Macaulay, who come down from their lofty pedestal and walk the common ways of men have to give up the attempt to portray long epochs and to limit their realistic efforts to a microscopic portion of the span of human evolution. Now, local records, when they are available, serve to bring now one fragment of

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the nation's story, now another, into relation with history of the village or the borough community. Thus they tend to invest not only the related fragments but the whole with actuality. Just as there are few places in England which are not within reach of some historic site, few which have not been associated with some man of more than local note, so there are few whose parish or municipal registers are wholly devoid of reference to events of national importance, few which have had nothing to do with any movement which has affected the kingdom at large. Places such as York and London, Newcastle and Winchester, are so full of historic associations that it is almost possible to write the history of England from the point of view of any one of them.*

3. History studied by means of local records and relics has the educational merit of proceeding from the known to the unknown, from the more familiar to the less familiar. In Germany "Heimatkunde," or knowledge of one's native place, forms a recognized basis of instruction. Topography prepares the way for geography. The plan of the town makes intelligible the map of the world; the spectacle of the policeman fits the imagination to comprehend the idea of the distant central Government; and so on. Similarly, history may

* Galt's "Provost" and "Annals of the Parish" illustrate the way in which local history can be used to illustrate general history.

well begin at home, and its sphere be extended until it touches the national history.

4. Local records emphasize and bring into prominence the social, industrial, and economic aspects of history. The dramatic events of general history are wars and diplomatic conflicts, and the easily besetting temptation of the historian is to give them somewhat more than their due attention. Of course, they are important; but they are not the only things that are important. After all, the State exists for the nation, and not the nation for the State. Politics, with its international and its Parliamentary crises, is only a means to an end—viz., the provision and maintenance of the conditions of the good life for the people at large. Politics loom too large in general histories. From local records they are, as a rule, totally absent. Thus local records "call a new world into existence to redress the balance of the old." They bear witness to the slow but sure development of the commonalty; they tell of the evolution of popular government; they show the effects of industrial and commercial changes; they speak of birth and death, of love and mortal sorrow, of faith and immortal hope. I do not think, for instance, that I ever realized what the plague meant to mediæval England until I looked through the burial registers of a little Hampshire township, and noted how, in bad years, in family after family, mother and baby, father

and son, brother and sister, husband and wife, were carried in swift succession to one common grave.

5. Local records do for English history one service over and above those which they render in the case of the histories of most other countries. They point the way to a realization of the process by which the English constitution has been developed. The local community, rural or municipal, was the original unit out of which the British Empire has been constructed. Communal self-government preceded national self-government; Parliament was at first "a concentration of local machinery"; municipal charters were the model upon which Magna Carta was framed; Protection and Free Trade were borough problems before they became Imperial problems. Local records, therefore, especially in the cases of the larger English towns and cities, not infrequently provide most instructive evidence as to how, on a small scale, in distant days, questions were dealt with which have now become of international importance.

6. Local records provide admirable opportunities for practice in historical research to teachers and to their more advanced scholars. The sort of thing that can be done, even by the intelligent but uninspired amateur, is shown by the summaries, all made to a rigid pattern, which under the name of local history give collected scraps of information

respecting manors and boroughs in the "Victoria County History" series. Very much more can be accomplished by the zealous student who can concentrate his efforts upon one place, and who can bring to his work both local knowledge and an acquaintance with the course of general history. It not infrequently happens that those who begin by endeavouring to solve some knotty problem in local history end by finding that they have in their hands a clue to the solution of some obscure question or other in constitutional history.

7. Finally, the study of history from local records tends to stimulate what I, perhaps, may be allowed to call local "patriotism."* It shows the significance of things familiar; it rouses a lively interest in objects which otherwise might seem common and base; it invests every well-known spot and every existing institution with associations with bygone generations of notable and worthy men; it makes it appear to be an object not beneath the dignity of the modern citizen to maintain the heritage of the past, and to transmit it unimpaired to the ages that are to come.

Let me end, as I began, with a quotation from John Richard Green. In 1869 he wrote: "History, we are told by publishers, is the most unpopular of all branches of literature at the present day,

* The historian Stubbs is a good illustration. *Cf.* "Letters," ed W. H. Hutton, pp. 4 and 16.

but it is unpopular only because it seems more and more to sever itself from all that can touch the heart of a people." He then suggests causes why it is so dry and unattractive. Having done so, he proceeds: "Now, there is hardly a better corrective for all this to be found than to set a man frankly in the streets of a simple English town, and to bid him work out the history of the men who lived and died there. The mill of the stream, the tolls of the market-place, the brasses of its burghers in the church, the names of its streets, the lingering memory of its gilds, the mace of its Mayor, tell us more of the history of England than the spire of Sarum or the martyrdom of Canterbury. We say designedly of the past of England, rather than of the past of burgh towns. For in England the history of the town and of the country are one. The privilege of the burgher has speedily widened into the liberty of the people at large. The municipal charter has merged into the great charter of the realm. All the little struggles over toll and tax, all the little claims of custom and franchise, have told on the general advance of liberty and law. The town motes of the Norman reigns tided free discussion and self-government over from the Witanagemot of the old England to the Parliament of the new. The husting court, with its resolute assertion of justice by one's peers, gave us the whole fabric of our judicial legislation. The

Continental town lost its individuality by sinking to the servile level of the land from which it had isolated itself. The English town lost its individuality by lifting the country at large to its own level of freedom and law."*

* Green, "Short History of the English People," pp. xi., xii.

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